

contain any ingredient or combination of ingredients capable of producing the results claimed.

On October 8, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8974. Misbranding of Hooper's Female Pills. U. S. * * * v. 2 Dozen Packages of Hooper's Female Pills (Black Seal) and 370 Packages of Hooper's Female Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13524, 13531, 13532. I. S. Nos. 8784-t, 8755-t, 8756-t. S. Nos. E-2659, E-2544, E-2545.)

On August 27, 1920, and September 8, 1920, the United States attorney for the District of Columbia, acting upon reports by the Secretary of Agriculture, filed in the Supreme Court of said District, holding a District Court, libels praying the seizure and condemnation of 2 dozen packages of Hooper's Female Pills (Black Seal) and 370 packages of Hooper's Female Pills, at Washington, D. C., alleging that the 2 dozen packages had been shipped by the Horace B. Taylor Co., Philadelphia, Pa., and transported from the State of Pennsylvania into the District of Columbia, and that the 370 packages had been transported into the District of Columbia from without, and that all of the article was being sold and offered for sale at Washington, D. C., and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Hooper's Female Pills."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the pills consisted essentially of aloes and ferrous sulphate.

It was alleged in substance in the libels that the article was misbranded for the reason that the labeling of the article contained the following statements, among others, (wrapper) " * * * Female Pills * * * a safe and sovereign remedy in female complaints * * * an emmenagogue in producing Menstruation * * * for the removal of Irregularities * * * are used * * * (except in cases of Pregnancy * * *) * * * Opening obstructions of the vessels * * * cure of disorders peculiarly incident to the Female Sex * * * remedy against those general complaints the Female Sex are subject to * * * cleanse, purify, and cause a free circulation of the blood * * * open those obstructions which Virgins are liable to * * * best * * * for * * * the irregularities * * * for the palpitation of the heart, giddiness, loathing of food, bad digestion, pains of the stomach, heating of the arteries of the neck, short breath * * * scurvy * * * should be taken by all women at the age of 45 * * * to prevent those disorders that usually attend them at that time * * * sovereign remedy * * * in all hypochondriac, hysterick or vapourish disorders * * * strengthen the nerves * * * for * * * obstruction of * * * courses * * * continue their use until the end is answered * * *," (circular) " * * * Female Pills * * * a safe and sovereign remedy in female complaints * * * an emmenagogue in producing menstruation * * * for the removal of irregularities * * * are used * * * except in cases of pregnancy * * *," which said statements contained in the said circular and wrapper, being statements of the curative and therapeutic effect of the said drug and the ingredients and substances contained therein, were false and fraudulent for the reason that the said drug contained no ingredients or combination of ingredients in sufficient quantity and strength capable of producing the therapeutic effect claimed for it in said statements.

On October 18, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*